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7 DONALD J. TRUMP, et al.,
8 Plaintiffs,
9 v.
10 FACEBOOK INC., et al.,
11 Defendants.

12 Case No. 21-cv-09044-JSW
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**ORDER STAYING MATTER PENDING
FINAL DISPOSITION OF *TWITTER*
AND STRIKING PENDING MOTIONS
WITHOUT PREJUDICE**

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16 The Court has reviewed the parties' responses to this Court's order to show cause why the
17 Court in its discretion should not stay this matter pending final disposition of the appeal of the
18 dismissal of *Donald Trump, et al. v. Twitter, et al.*, N.D. Cal. Case No. 21-cv-08378-JD (Ninth
19 Circuit Court of Appeals Case. No. 22-15961) ("Twitter").

20 "[T]he power to stay proceedings is incidental to the power inherent in every court to
21 control disposition of the cases on its docket with economy of time and effort for itself, for
22 counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). "The exertion of this
23 power calls for the exercise of sound discretion." *CMAX, Inc. v. Hall*, 300 F.2d 265, 268 (9th Cir.
24 1962). The competing interests that a district court must weigh in deciding whether to grant a stay
25 include: (1) "possible damage which may result from granting a stay, (2) the hardship or inequity
26 which a party may suffer in being required to go forward, and (3) the orderly course of justice
27 measured in terms of the simplifying or complicating of issues, proof, and questions of law which
28 could be expected to result from a stay." *Id.* (citing *Landis*, 299 U.S. at 254-55).

1 Having considered those interests and exercising its discretion, the Court STAYS this
2 matter. In addition, the Court STRIKES the pending motions to dismiss and for preliminary
3 injunction, without prejudice to the parties refiling those motions at a later date. The parties shall
4 file a joint notice with the Court within seven days of the final disposition of *Twitter*.

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6 **IT IS SO ORDERED.**

7 Dated: August 3, 2022

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9 JEFFREY S. WHITE
United States District Judge

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United States District Court
Northern District of California